

DOCTOR ELIAKIM CROSBY.

DECEMBER 23, 1831.

Mr. CAVE JOHNSON, from the Committee on Private Land Claims, made the following

REPORT:

The Committee on Private Land Claims, to which were referred the petition of Dr. Eliakim Crosby, and the accompanying documents, report:

That they have carefully examined the testimony in this case, which is of the most ample and respectable character, and find that it is conclusively proven that the petitioner emigrated from Litchfield, Connecticut, in 1804, to the Province of Upper Canada, and settled in London district, in said Province. That he had been extensively engaged in the line of his profession, and in agricultural and mercantile pursuits, till the breaking out of the war, of 1812, between the United States and Great Britain, when he had accumulated real estate, of various kinds, of more than \$10,000 in value, besides personal property of perhaps an equal amount, and had sustained the most unblemished reputation. He was known to be attached to the institutions, government, and people of the United States; and, after the war, became an object of suspicion to the British agents in the Province. He knew that the oath of allegiance to Great Britain would be tendered to him, and that a refusal to take it would subject his property to confiscation, and himself to imprisonment, and his family to distress. Under these circumstances, his native country could not have looked for the sacrifices he made. If he had permitted no regard for his native country to influence him, he might have remained with his family in affluence and comfort; but, influenced by the most patriotic motives, and relying on the protection of his country, which, he conceived, was held out to him by General Hull's proclamation, he determined to abandon his home and his valuable property, and espouse the American cause; and accordingly, with his family in a destitute condition, having nothing but their clothing and a little bedding, crossed the lines, and joined the American army, early in the year 1814. He was soon after appointed a Surgeon to a corps, of Canadian volunteers, in which he served to the end of the war. When he left Canada, he was largely engaged in his profession, and in mercantile business, was the owner of several tracts of land, with buildings and improvements, of a valuable distillery, two taverns, and three fourth parts of a very valuable flour mill and saw-mill, on Patterson Creek, seven or eight miles from Lake Erie, and other real and personal estate, all of which, on his going to the United States, was taken possession of by the Agent of the British Government, and confiscated,

pursuant to the 84th George III. and himself declared a traitor, for having joined the American army. The flour-mill was in the possession of a British force, and principally supplied the British army in that quarter with flour, till November, 1814, when it was destroyed by the order of General McArthur, (who was then on an expedition through Canada) to deprive the enemy of the means of carrying on their expedition against Detroit. The Hon. Thomas P. Macon was present at the destruction of this mill. Dr. Crosby has been much harrassed by his creditors from Canada since peace, and has been compelled to pay the debts due to them with considerable costs, whilst he has been unable to collect any debts due him in Canada. He has no legal claim on the Government of the United States for these losses, the committee admit; but his claims address themselves strongly to the justice of Congress, and are sustained by the *spirit* of the act of 1816, for the relief of the Canadian refugees, which, it is believed, does not, in terms, embrace his case. If, however, it did, the committee are of opinion it does not afford any relief commensurate with the sacrifices, sufferings, and services, he endured for the American cause.

The petitioner's claim and case very much resembles that of Andrew Westbrook, which has passed the House without objection, and embraces the very same principle; and, as Crosby has shown an equal devotion to the interests of his native country, the committee recommend he should receive the same relief that was granted to Westbrook. They therefore report a bill, granting him warrants for two sections of land, to be located on any lands of the United States which are now subject to location by the existing laws.